

Application Reference: DM/23/2866 and DM/23/2867

Land East of Ansty Way, Cuckfield Bypass, Cuckfield. Outline Planning Application for up to 1,450 homes etc.

Introduction.

This document has been prepared by the Stop CuckStye Action Group (SCAG) and the Cuckfield Society and has been written specifically in response to the new documentation that was submitted by Fairfax/Savills to Mid Sussex District Council in November this year.

Since nothing substantially new has been added by the applicant to the evidence base, this paper confines itself to a discussion of what little new material has been submitted to the Council and to re-iterate our earlier objections. Our original response made in December 2023 still stands in its entirety. This paper is not to be considered as a substitution for it.

Sustainability.

Central to our argument is the fact that the proposal is inherently unsustainable as that term is defined by the NPPF as well as the the current, and emerging Local Plans.

The applicant (who are a land acquisitions company and not a volume housebuilder or developer) has advanced the argument in its response to the Cuckfield and Ansty and Staplefield Parish Councils' submission that it is incorrect to describe their proposals as constituting a "dormitory settlement". However, they provide no evidence to rebut this charge except to double down on their own promise of fantasy facilities that will internalise the development by providing for the everyday needs of its inhabitants.

Regarding these facilities and the unimaginative proposed layout of the housing estate we would make the following points.

That we agree wholeheartedly with Mid Sussex's planning officer when he stated that "*The proposal has no real centre, with facilities not co-located and at a distance from a large proportion of the proposed units*". Additionally, it can be seen that the layout of the roads is predicated upon car based access to the A272 rather than being focused on a "village centre".

Fairfax are also very vague when it comes to what this "village centre" would consist of. In answer to Mid Sussex's enquiry as to what the retail offer was all they could say was that "*the flexible class allows this to happen further down the line when the site is built out*". In other words, it may or may not happen at some unspecified time in the future. They then go on to admit that facilities "*would not be provided up front when the level of demand is unclear*".

Regarding the provision of a new 2FE primary school, no evidence has been provided that the education authority would support such a provision. Nor has any evidence been provided to back up the applicant's claim that a SEND school would be either.

The Integrated Health Board (ICB) has responded to the applicant's proposal for a GP surgery using a standard NHS response. This was followed up by a phone call in October 2024 which was supportive only insofar as it said, "*healthcare space would be welcomed in principle*". No plans for such healthcare to be provided however have been produced.

The promised sports facilities are evidenced solely by a letter from a private provider expressing a vague interest in being involved. No details concerning funding, operational details, or a business plan have been provided.

In support of the application, consultants Tetlow King have examined the issue of affordable housing. Policy DP31 sets out a minimum of 30% of homes are to be in this category, what the Tetlow King study also shows however is that local need for affordable housing is at a level considerably higher than this and the new iteration of the NPPF endorses this. The affordable housing offer therefore is inadequate.

In terms of public transport, the applicant refers to a proposed bus service but is unable to elaborate on the nature of this offer as the discussions with a putative operator are "*confidential*".

What is known however is the current local bus operator – Compass – have stated that will not be diverting service 89 onto the site. In any case this existing service only runs 3 services a day 3 days a week with 1 additional daily service and 1 service exclusively for school children and with bus stops that are more than 20 minutes' walk away from where the bulk of the proposed housing is.

In addition, it should be noted that the traffic mitigations being proposed for the Ansty roundabout involves road widening that would remove the existing bus stops altogether thus leaving the village with no bus service at all!

The applicant has provided more detail concerning public rights of way that promote active travel within the site but since the local facilities being promised are unlikely ever to materialise, these routes are of very limited value.

Cycle paths and footways are shown leaving the site, but these cross busy roads that are not compatible with safe movement of people on foot or by bicycle. Active travel routes onwards towards both Cuckfield and Haywards Heath (where people would need to travel to for Retail, Healthcare, schools etc) also run alongside busy highly congested roads that are far too narrow to carry much more pedestrians and cyclists than they already do.

In support of their active travel initiative, Fairfax also grandiosely reference a "*mobility hub*". From the material submitted this would appear to consist of no more than a bus stop for a service that will in all probability never materialise and a cycle rack!

It can be seen therefore that this site – surrounded on 3 sides by busy roads – is utterly unsustainable. It lacks the critical mass of people necessary to allow for sufficient internalisation on site and therefore makes it a car dependent dormitory suburb.

Transport.

It is this inherent unsustainability of the Ansty Farm site that causes such severe impacts to the existing roads network.

Both National Highways and West Sussex County Council have major reservations concerning the Traffic assessment provided by the applicant which they regarded as inadequate.

The NPPF (in paragraph 116) clearly puts the onus on the developer to provide the evidence that their proposals will not cause “severe” impacts on the road network and in their latest submissions the applicant has been unable to do so.

In their Transport Assessment Addendum (TAA) they claim that they have “*demonstrated that the impacts would not be severe*”. National Highways begs to differ. Information regarding traffic distribution has not been provided. The applicants modelling lacks credibility or even suggests that the impacts would indeed be severe. The latest response from National Highways states that the applicants TAA “*is not sufficient to understand where the traffic is travelling*” and they require more evidence that the applicant has not provided.

Paragraph 118 of the NPPF demands that there must be a reliable Transport Assessment provided and the applicant in their latest submission has not done so. Bizarrely they even criticise their own modelling as being inadequate for the purpose of supporting their own argument. This would seem to fatally undermine their whole case!

Once again National Highways have given the applicant 6 more months to provide further evidence to support their case but there must be a limit to how many times the applicant can carry on trying to demonstrate that black in fact is white.

Landscape, Biodiversity Net Gain, and the “Parkland Reserve”.

The applicant’s Landscape consultant – Fabrik – have attempted to undermine the work that Louise Hooper did on behalf of the Parish Councils as well as that done by Place Services for MSDC.

Broadly speaking their work consists of a refutation of individual points made by both parties and consists for the most part of a subjective difference of opinion. They do however make a number of highly contentious points regarding the village of Ansty.

The applicant attempts to show for example that their proposals somehow make the village (which is a category 4 settlement in the hierarchy) more sustainable. They present the creation of an unrelated settlement at some distance from Ansty as some sort of organic growth similar in nature to that which has happened over a space of many decades in Haywards Heath, Cuckfield, Whitemans Green, Bolney or Scaynes Hill.

This is clearly a preposterous claim since their proposed development represents an entirely new settlement lying between Ansty and Cuckfield which (although it threatens to coalesce the two villages) adds nothing to either.

The Fabrik document also descends to absurd nitpicking when for example it criticises the LHLA’s inclusion of a stock picture of Holy Trinity church in Hurstpierpoint rather than at Cuckfield. Since the picture was only included for illustrative purposes, this is surely a trivial point. The same can also be said for criticising her work as being for the use of Cuckfield Parish Council alone as if this means it has somehow been misused in some way. Both points, petty in nature as they are somewhat undermined by their own reference to “Ansty and Staplehurst” rather than “Ansty and Staplefield” Parish Council.

The applicant in their response to the heritage impacts of their proposals very much downplays the cumulative effect across the whole landscape. A development of this size simply cannot be achieved without an adverse effect on the historic and landscape setting. To pretend otherwise is disingenuous.

We believe that insufficient consideration has been given to the removal of hedgerows not just on the development site (where the north-south footways and roads are run at right angles to the linear hedge lines) but also when considering the transport mitigations along the A272 from the Ansty roundabout all along the Cuckfield bypass to Tylers Green. For reasons of transport safety huge amounts of roadside verge including mature trees would have to be removed. Although the applicant can claim they do not have to take this into account as part of their BNG statement, it should still be a material concern that this development would leave such a landscape impact over a greater area than merely the development site itself.

The applicant accepts in its own evidence base that biodiversity gain at the development site itself cannot be achieved and it is for this reason alone that application DM/23/2867 has been submitted. It is not a standalone application and although the applicant is correct to say that it is permissible to provide BNG offsite the NPPF makes it clear that onsite provision is much to be preferred.

This proposed “Parkland Reserve” which has been through a number of iterations is presented as both a recreational facility for the new “Garden Community” and also rewilding project inspired by Sir Charles Burrell’s work at Knepp. Sir Charles in both his response to this application in January 2024 and again more recently has dismissed these proposals as unworkable and not a serious re-wilding proposition.

Recreation and Rewilding are clearly contradictory land uses on such a small site. The requirement for rewilding specifically excludes 60% of the land from being used recreationally. Elsewhere on the site however a cycle path running through ancient woodland is being provided together with dog walking areas and sports pitches which are likely to represent BNG loss rather than gain. They additionally raise issues as to potential artificial lighting along the cycle path (unless Fairfax proposes that people cycle in the dark?) and floodlighting on the sports pitches. Such lighting is contrary to the policies that protect the National Landscape of the High Weald.

The stewardship, governance and costings for the “Parkland Reserve” has not been clearly set out or evidenced. There is no proper management plan that sets out any delivery targets that would be used to measure progress towards BNG. Supporting documentation does not explicitly layout how the endowment of £7.5m needed to provide the income to pay for the stewardship of the land is to be managed or who (Fairfax?) would be providing it. Community involvement in the administration of this fund is not mentioned and neither is the role of any other body or organisation.

When it comes to measuring BNG, the issue is clouded because two separate pieces of land are being assessed and there needs to be a holistic assessment across both sites. Fairfax’s consultant Ecology has identified a 18.04% BNG on the Parkland site but this seems to be contingent on the success of the rewilding scheme which as stated by Sir Charles Burrell is not possible.

What is required here is an objective measurement of BNG which should ideally be that provided by the DEFRA recommended Biodiversity Metric 4.0. Interestingly enough, Ecology accepts that the Parkland proposal “does not satisfy the trading rules of Biodiversity Metric 4.0. The calculation has identified a .97 unit deficit for ‘High Distinctiveness’ linear habitat”.

Fairfax’s assessment of BNG by their own consultants smacks of marking their own homework. It cannot be accepted at face value.

Conclusion - The two Applications and the Planning Process.

It is a core principle of the NPPF that development should be “plan led”. Mid Sussex have a Plan currently in place and are in the final stages of having a new one adopted. This application however is a speculative venture that seeks to undermine

the careful and considered work of placemaking that has gone into the creation of the Local Plan.

It is true that the current government is keen to speed up the delivery of housing and to in some cases increase the targets that local Planning authorities are expected to deliver. However – even in the pursuit of this aim – they have made it clear that this should still be done as part of a proper plan led process. In the words of the Secretary of State for Housing, Communities and Local Government provided in her written ministerial statement of 30 July 2024 *“The plan making system is the right way to plan for growth and environmental enhancement, ensuring local leaders and their communities come together to agree on the future of their areas. Once in place, and kept up to date, local plans provide the stability and certainty that local people and developers want to see our planning system deliver”*. This statement clearly rules out speculative development being proposed outside of the LPA’s own remit.

Fairfax have claimed they have “consulted” and “engaged” with the local community over their proposals. Neither Cuckfield PC or Ansty and Staplefield PC have had any engagement with Fairfax or their representatives. The only “consultation” that they can claim to have carried out was a presentation that took place at the Ansty Village Hall in September 2023. This exercise cannot be considered a proper consultation as it consisted of Fairfax’s representatives telling local people what was proposed and that it was a “done deal”. Some 96% of local residents who attended this event expressed objections to it whilst the remaining 4% were neutral. Not a single person was in favour. Fairfax have taken no account of this level of opposition which serves to demonstrate their lack of interest in any real “consultation”.

Fairfax have also maintained in their submission that the Ansty Farm site was “favourably assessed” at the site selection stage and was then mysteriously withdrawn from the plan. This is not a true statement. Like 2 other sites originally selected from the SHELAA (site 678 – Twineham and site 1147 – Hangmans Hill), it was examined and found wanting. It was therefore not proceeded with at the time of the Regulation 18 consultation. This was a perfectly proper outcome from the perspective of an objective plan making process.

The Ansty Farm site is manifestly not a sustainable development proposition. Because it lacks the critical mass of population to support the local provision of facilities on site , it would always be a car dependent dormitory suburb which would lead to severe impacts on the local and strategic Highways network whilst having the potential to overwhelm local GP and Educational facilities.

We urge you therefore in accordance with both current and emerging District Plans to REFUSE permission for DM/23/2866 and the associated application DM/23/2867.

Giles King – Chairman The Cuckfield Society

Simon Stokes – Chairman SCAG